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Attorney for Plaintiff
 Ann Marie Quinn

**UNITED STATES DISTRICT COURT
 SOUTHERN DISTRICT OF CALIFORNIA**

<p>ANN MARIE QUINN</p> <p>Plaintiff,</p> <p>v.</p> <p>ASSET MANAGEMENT COMPANY, A CORPORATION, AND PETER FINE, AN INDIVIDUAL</p> <p>Defendants.</p>	<p>Case No: 3:08-CV-00363-W-RBB</p> <p>Declaration of Joshua B. Swigart In Support of Plaintiff's Petition For Fees In Response To Court's Order to Show Cause</p> <p>Judge: Hon. Ruben B. Brooks</p>
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I, Joshua B. Swigart, hereby declare under penalty of perjury that the foregoing is true and correct:

1. I am the attorney for the Plaintiff, Ann Marie Quinn, in the above-entitled action. I have personal knowledge of the information contained in this declaration and could testify to such if called to do so.
2. I am an attorney licensed to practice before all the state courts in the State of California, and before all federal District Courts in the State of California.

3. I practice law full time as a consumer rights plaintiff's attorney and am the co-founder of Hyde & Swigart, located in San Diego, CA.
4. My practice is almost exclusively devoted to the litigation of both Federal and California State Debt Collection Practices Act matters.
5. On or about April 2, 2008, an Early Neutral Evaluation Conference was scheduled to take place on April 28, 2008 before the Honorable Ruben B. Brooks.
6. On or about April 28, 2008 I appeared at the Early Neutral Evaluation Conference with my client.
7. Defendant failed to personally appear at the Early Neutral Evaluation Conference held on April 28, 2008.
8. As a result of Defendant failing to personally appear at the Early Neutral Evaluation Conference, the Court instructed me to submit my time and fees incurred which the Court would address if the issue was not resolved before the date set for the settlement conference.
9. To date I have not heard from opposing counsel with regard to his client's failure to appear at the Early Neutral Evaluation and therefore am submitted my time sheets and hourly rate to the Court.
10. The following is a breakdown of my fees incurred at the Early Neutral Evaluation:

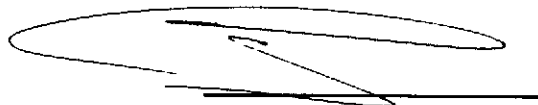
Date:	Task:	Time:	Rate:	Amount:
Apr 28, 2008	Prepare for ENE	0.5	\$315.00	\$157.50
Apr 28, 2008	Meet with client	1	\$315.00	\$315.00
Apr 28, 2008	Attend ENE	1	\$315.00	\$315.00
Total		2.5	\$315.00	\$787.50

11. With regard to my hourly rate of \$315.00, I have previously been approved at this rate. *See Owens v. Creditor's Interchange*, case number 06-CV2594-WOH (RBB).

1 12. I have used good judgment and reasonable billing discretion in arriving at
2 this amount.

3 13. I declare under the penalty of perjury that the foregoing is true and correct.

4 Executed on Friday, August 8, 2008, pursuant to the laws of the State of
5 California at San Diego, CA.

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Joshua B. Swigart

HYDE & SWIGART
San Diego, California